

**RECEIVED
CENTRAL FAX CENTER**

U.S. PTO Customer No. 25280

SEP 23 2004 Case No. 5113A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Higgins et al.
 Serial Number: 09/910,085
 Filed: July 20, 2001
 For: TEXTILE PRODUCT AND METHOD
 Group Art Unit: 1771
 Examiner: Juska, Cheryl Ann

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF APPEALS**

Mail Stop AF
 Commissioner of Patents
 P. O. Box 1450
 Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Appeals from the decision dated April 23, 2004 of the Examiner finally rejecting Claims 1, 3 – 51, 54, 55, 57 – 85, 89 – 100, 103 – 106, 109 – 112, 114, 119 and 122.

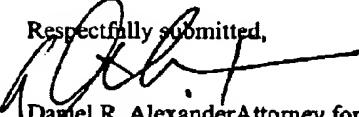
The item(s) checked below are appropriate:

1. An Extension of Time is filed concurrently herewith.
2. Charge Deposit Account No. 04-0500 the fee of \$330.00.
 Charge Deposit Account No. 04-0500 if any additional extension and/or fee is required.

An additional copy of this Notice is enclosed herewith.

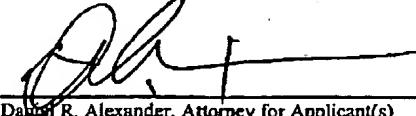
Respectfully submitted,

September 23, 2004


 Daniel R. Alexander Attorney for Applicant(s)
 Registration Number 32,604
 Spartanburg, SC 29304
 Telephone Number: (864) 503-1372

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to The United States Patent and Trademark Office at 703-872-9306 on September 23, 2004 along with a Substance of Interview, and Request for Extension of Time (in duplicate).


 Daniel R. Alexander, Attorney for Applicant(s)

BEST AVAILABLE COPY

11 EFT 1450
1000000006 04598
09910005